

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

* * * * *

Donald Larson,

Plaintiff,

vs.

ORDER

Joan Fabian, Commissioner of
Corrections,

Defendant.

Civ. No. 06-2115(DSD/RLE)

* * * * *

Based upon the Findings and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter,

IT IS ORDERED:

1. That the Plaintiff's Complaint [Docket No. 1] is dismissed, but without prejudice.
2. That the Plaintiff's Motion for Leave to Proceed in forma pauperis [Docket No. 2] is denied, as moot.
3. That the Plaintiff's request for a refund of his initial partial filing fee [Docket No. 4] is denied.

s/David S. Doty
David S. Doty, Judge
United States District Court

DATED: June 28, 2006
At Minneapolis, Minnesota